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PTQ5945

RELEASED IN PART
B1, 1.4(D)PAGE 01 JAKART 05513 01 OF 02 231142Z
ACTION SCT-00

INFO	LOG-00	NP-00	AID-00	A-00	CCO-00	CG-00	CIAE-00
	COME-00	CTME-00	DOEE-00	DOTE-00	SRPP-00	DS-00	EAP-00
	EB-00	FAAE-00	FBIE-00	VC-00	H-01	TEDE-00	INR-00
	INSE-00	IO-00	L-00	CAC-00	VCE-00	MED-07	M-00
	AC-01	DCP-01	NRCE-00	NSAE-00	OCS-03	OIC-02	OMB-01
	OPIC-01	PA-00	PM-00	PRS-00	ACE-00	P-00	SP-00
	SSO-00	SS-00	STR-00	TRSE-00	T-00	USIE-00	USSS-00
	ASDS-01	PMB-00	DSCC-00	PRM-00	DRL-02	G-00	NFAT-00
	SAS-00	SWCI-00	/020W				

-----FCB21F 231142Z /38

P 231109Z OCT 02
FM AMEMBASSY JAKARTA
TO SECSTATE WASHDC PRIORITY 1718
INFO ASEAN COLLECTIVE PRIORITY
AMEMBASSY CANBERRA PRIORITY
AMEMBASSY WELLINGTON PRIORITY
NSC WASHDC PRIORITY
SECDEF WASHDC PRIORITY
USCINCPAC HONOLULU HI PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 005513

E.O. 12958: DECL: 10/23/2012
TAGS: PREL, PTER, KISL, PHUM, ID
SUBJECT: BA'ASYIR REMAINS IN HOSPITAL

REF: JAKARTA 5443

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CLASSIFIED BY POLITICAL OFFICER JOHN RATH. REASON: 1.5 (D).

1. (C) SUMMARY: BA'ASYIR REMAINED HOSPITALIZED IN SOLO
OCTOBER 23, WITH DOCTORS MAINTAINING THAT HE WAS NOT FIT FOR
POLICE QUESTIONING.

B1

THE CHAIRMEN OF
NAHDLATUL ULAMA (NU) AND MUHAMMADIYAH PUBLICLY BLESSED GOI
LAW ENFORCEMENT ACTION AGAINST BA'ASYIR WITH THE CAVEAT THAT
THE GOI PROVE HIS GUILT THROUGH SOLID EVIDENCE. POLITICAL

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AND SECURITY AFFAIRS MINISTER YUDHOYONO WARNED REPORTERS THAT FUTURE TERRORIST ATTACKS MAY TAKE PLACE IN INDONESIA AND ASSURED THE PUBLIC THE GOI WOULD DEAL WITH THE TERRORIST THREAT FIRMLY.

B1

TOO ILL TO ANSWER, BUT FIT ENOUGH TO SWEAR

2. (U) BA'ASYIR REMAINED AT THE MUHAMMADIYAH HOSPITAL IN SOLO AS OF OCTOBER 23. HOSPITAL DOCTORS TOLD THE PRESS THAT THOUGH BA'ASYIR'S CONDITION HAD IMPROVED (HE STILL REQUIRED AN OXYGEN TUBE AND "MEDICATION"), HE WAS NOT YET FIT ENOUGH TO UNDERGO POLICE QUESTIONING. A POLICE PHYSICIAN ON THE
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SCENE TOLD JOURNALISTS THAT POLICE DEFERRED TO THE MEDICAL JUDGMENT OF HOSPITAL DOCTORS AND WOULD NOT INTERFERE IN THE COURSE OF TREATMENT (OR, PRESUMABLY, THE EVALUATION OF BA'ASYIR'S FITNESS TO LEAVE THE HOSPITAL AND UNDERGO QUESTIONING). THE CONVALESCING CLERIC WAS SUFFICIENTLY FIT, HOWEVER, TO REPORTEDLY SUMMON A GROUP OF SYMPATHETIC LOCAL ISLAMIC SCHOLARS TO HIS ROOM MONDAY EVENING TO HEAR HIM DELIVER AN OATH TO GOD. BA'ASYIR REPEATED HIS LONG-STANDING CLAIM THAT HE HAD NEVER MET, ORDERED, DIRECTED, OR FUNDED OMAR AL-FAROUQ TO DO ANYTHING, NOR HAD HE ORDERED OR PAID ANYONE TO ASSASSINATE PRESIDENT MEGAWATI "OR ANY OTHER INDONESIAN PRESIDENT." THE SCHOLARS LATER READ THE SELF-SERVING OATH DURING A WIDELY TELEVISED PRESS CONFERENCE.

PUBLIC REACTION

3. (U) THE CHAIRMEN OF NAHDLATUL ULAMA (NU) AND MUHAMMADIYAH, INDONESIA'S TWO LARGEST MASS ISLAMIC ORGANIZATIONS, PUBLICLY BLESSED GOI LAW ENFORCEMENT ACTION AGAINST BA'ASYIR WITH THE CAVEAT THAT THE GOI PROVE HIS GUILT THROUGH SOLID EVIDENCE. NU CHAIRMAN HASYIM MUZADI ADDED THAT RADICALS SUCH AS BA'ASYIR AND LASKAR JIHAD'S JA'AFAR UMAR THALIB MUST BE DETERRED FROM EFFORTS TO "DEVELOP ISLAM THROUGH VIOLENCE." FORMER PRESIDENT AND EX-NU CHAIR ABDURRAHMAN WAHID PUBLICLY WELCOMED BA'ASYIR'S ARREST AND CALLED FOR AN INVESTIGATION BY AN "INDEPENDENT COMMITTEE" TO PROBE LINKS BETWEEN BA'ASYIR AND OMAR AL-FAROUQ. WAHID'S YOUNGER BROTHER, A SENIOR NU OFFICIAL, REPORTEDLY VISITED BA'ASYIR AT THE HOSPITAL ON MONDAY. COORDINATING MINISTER FOR POLITICAL AND SECURITY

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AFFAIRS YUDHOYONO WARNED REPORTERS THAT FUTURE TERRORIST
ATTACKS MAY TAKE PLACE IN INDONESIA AND ASSURED THE PUBLIC
THE GOI WOULD DEAL WITH THE TERRORIST THREAT FIRMLY.

4. (U) AFTER HEARING A BA'ASYIR SPOKESMAN READ HIS
EXCULPATORY SICKBED OATH, REPRESENTATIVES OF 29 ISLAMIC
ORGANIZATIONS (INCLUDING NU, MUHAMMADIYAH AND A HOST OF
SMALLER, MORE CONSERVATIVE GROUPS) ENDED A JAKARTA MEETING BY
ISSUING A JOINT STATEMENT IN WHICH THEY EXPRESSED REGRET OVER
BA'ASYIR'S ARREST, STATING THAT IT WAS BASED NOT ON STRONG
EVIDENCE BUT RATHER "MYSTERIOUS TESTIMONY, A MATTER WHICH CAN
BE CATEGORIZED AS OPPRESSIVE AND UNJUST." WE HAVE NOT BEEN
ABLE TO CONFIRM PRESS REPORTS OF A LARGE PRO-BA'ASYIR RALLY
LAST NIGHT IN SOLO.

HIGH-POWERED LEGAL TEAM TIPS DEFENSE STRATEGY

5. (U) BA'ASYIR APPEARS TO HAVE GAINED AN IMPORTANT ALLY IN
HIS LEGAL DEFENSE EFFORTS. NOTED HUMAN RIGHTS ATTORNEY ADNAN
BUYUNG NASUTION ANNOUNCED THAT HE AND LAWYERS FROM THE
SECULAR INDONESIAN LEGAL AID FOUNDATION (YLBHI) WOULD JOIN
BA'ASYIR'S LEGAL DEFENSE TEAM "IN THE INTERESTS OF THE LEGAL
AND HUMAN RIGHTS OF BA'ASYIR AND IN THE INTERESTS OF LAW AND
AUTHORITY IN INDONESIA." REVEALING A LIKELY DEFENSE
STRATEGY, NASUTION ASSERTED PUBLICLY THAT THE GOI HAS NO

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ACTION SCT-00

INFO	LOG-00	NP-00	AID-00	A-00	CCO-00	CG-00	CIAE-00
	COME-00	CTME-00	DOEE-00	DOTE-00	SRPP-00	DS-00	EAP-00
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	DCP-01	NRCE-00	NSAE-00	OCS-03	OIC-02	OMB-01	OPIC-01
	PA-00	PM-00	PRS-00	ACE-00	P-00	SP-00	SSO-00
	SS-00	STR-00	TRSE-00	T-00	USIE-00	USSS-00	ASDS-01
	R-00	PMB-00	DSCC-00	PRM-00	DRL-02	G-00	NFAT-00
	SAS-00	SWCI-00	/013W				

-----FCB225 231143Z /38

P 231109Z OCT 02
FM AMEMBASSY JAKARTA
TO SECSTATE WASHDC PRIORITY 1719

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INFO ASEAN COLLECTIVE PRIORITY
AMEMBASSY CANBERRA PRIORITY
AMEMBASSY WELLINGTON PRIORITY
NSC WASHDC PRIORITY
SECDEF WASHDC PRIORITY
USCINCPAC HONOLULU HI PRIORITY

C O N F I D E N T I A L SECTION 02 OF 02 JAKARTA 005513

E.O. 12958: DECL: 10/23/2012
TAGS: PREL, PTER, KISL, PHUM, ID
SUBJECT: BA'ASYIR REMAINS IN HOSPITAL

LEGAL BASIS TO ARREST BA'ASYIR SINCE ITS CASE IS BASED SOLELY
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ON "INFORMATION OF AN EXTERNAL PARTY," EXPRESSING PARTICULAR
CONCERN THAT THE GOI ARRESTED AL-FAROUQ ON SUSPICION OF
CRIMINAL ACTIVITY BUT DID NOT FORMALLY CHARGE HIM WITH THE
CRIMES HE NOW ASCRIBES TO BA'ASYIR. BA'ASYIR'S PREVIOUS
SICKBED DEMAND THAT HE BE ALLOWED TO CONFRONT AL-FAROUQ IN AN
INDONESIAN COURT, ANOTHER LIKELY DEFENSE STRATEGY THAT COULD
GREATLY COMPLICATE ANY FUTURE TRIAL, WAS ADDRESSED BY GOI
POLICE CHIEF DA'I BACHTIAR, WHO TOLD REPORTERS THAT WHILE
AL-FAROUQ'S COURT ATTENDANCE WOULD BE HELPFUL, THE DECISION
"IS IN THE HANDS OF THE USG AND NOT IN THE HANDS OF THE GOI."

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